

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:05cr24

THOMAS CASEY BREFELD

**FINDINGS OF FACT AND RECOMMENDATION ON FELONY GUILTY
PLEA BEFORE THE UNITED STATES MAGISTRATE JUDGE**

Pursuant to Title 28 United States Code, Section 636(b) this matter has been referred by the District Court for administration of guilty plea and allocution under Rule 11 of the Federal Rules of Criminal Procedure.

On this day this cause came before the undersigned U.S. Magistrate Judge for Guilty Plea and Allocution of the Defendant, THOMAS CASEY BREFELD on Count(s) One of the Indictment/Information filed herein charging a violation of 18 U.S.C. Section 1957. After conducting said proceeding in the form and manner prescribed by FED.R.CRIM.P. 11 the Court finds,

a) That the Defendant, after consultation with counsel of record, has knowingly and voluntarily consented to the administration of the Guilty Plea and Allocution in this cause by a U.S. Magistrate Judge subject to final approval and imposition of sentence by the District Court.

b) That the Defendant and the Government have entered into a plea agreement which has been filed and disclosed in open court pursuant to FED.R.CRIM.P. 11(e)(2).

c) That the Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charges and the consequences of the plea, and that the plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense.

IT IS THEREFORE, the recommendation of the undersigned U.S. Magistrate Judge that the District Court accept the Plea Agreement and the Guilty Plea of the Defendant, THOMAS CASEY BREFELD, and that defendant be finally adjudged Guilty of that offense.

Signed, this the 4th day of August, 2005.

/s/ James C. Sumner

U.S. MAGISTRATE JUDGE